

**BEFORE THE  
GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE COMMISSION  
STATE OF GEORGIA**

**IN THE MATTER OF**

**JOHN EAVES**

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**CASE NO.**

**22-0047-C**

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**CONSENT ORDER**

This matter comes before the Georgia Government Transparency and Campaign Finance Commission ("Commission") pursuant to a Complaint filed by the Commission on April 14, 2022. Now, prior to an administrative hearing on this matter, John Eaves ("Respondent") and the Commission agree to resolve the above-styled matter by a Consent Order under the terms and conditions described herein.

**Findings of Fact**

Respondent sought election to the office of Secretary of State in the 2022 election cycle. He filed his Declaration of Intention to Accept Campaign Contributions ("DOI") on June 2, 2021, and later qualified as a candidate on March 7, 2022. During his candidacy, Respondent was subject to the rules and regulations of the Commission.

As a candidate for state-wide office, Respondent was required to file an Enhanced Personal Financial Disclosure Statement ("PFDS") within 7 days of qualifying as a candidate. O.C.G.A. § 21-5-50. Respondent failed to file this disclosure within the statutorily required time-period.

Respondent was further required to disclose the amount and sources of all campaign contributions and expenditures by filing Campaign Contribution Disclosure Reports ("CCDR") with the Commission by specified statutory dates throughout the election cycle. O.C.G.A. § 21-5-34. Respondent failed to timely file disclosure reports for the following periods during the 2022 election cycle: January 31, April 30, June 30, September 30, and October 25.

The Campaign Finance Act prohibits candidates from lawfully accepting campaign contributions prior to filing a DOI with the Commission. O.C.G.A. § 21-5-30(g). Respondent purchased pre-DOI campaign photos and a video production valued at \$1,500.00 on May 10, 2021, in violation of this prohibition.

Respondent was required to report and itemize all campaign contributions of more than \$100.00 on each CCDR that was filed throughout the election cycle. O.C.G.A. § 21-5-34(b)(1). Respondent failed to report forty-three (43) transactions involving campaign contributions that Respondent personally paid for and then later reimbursed himself from campaign funds.

Respondent was required to report and itemize all campaign expenditures of more than \$100.00 on each CCDR that was filed throughout the election cycle. O.C.G.A. § 21-5-34(b)(1). Respondent initially reported transacting campaign money to himself ten (10) times throughout the election cycle

totaling \$10,800.00. After commission staff reviewed his campaign's financial records, Respondent received \$29,962.63 in funds from his campaign, purportedly classified as loan repayments. Respondent failed to report \$19,162.63 in expenditures resulting from the difference. The total amount of expenditures Respondent failed to report breaks down as follows: \$3,519.40 in campaign expenditures Respondent made to repay himself for campaign contributions that Respondent paid for out of personal funds, \$8,770.00 in campaign expenditures used to repay loans that Respondent made to his campaign, and \$6,873.23 in campaign expenditures used to repay Respondent for mileage expenses incurred throughout his campaign.

### **Conclusions of Law**

1. Respondent violated O.C.G.A. § 21-5-50(c) by failing to file his enhanced PFDS within seven days of qualifying as a candidate.
2. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to file his January 31, 2022 CCDR.
3. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to file his April 30, 2022 CCDR.
4. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to file his June 30, 2022 CCDR.
5. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to file his September 30, 2022 CCDR.
6. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to file his October 25, 2022 CCDR.
7. Respondent violated O.C.G.A. § 21-5-30(g) by receiving a campaign contribution in the amount of \$1,500.00 prior to filing a DOI with the Commission.
8. Respondent violated O.C.G.A. § 21-5-34(b)(1) by failing to report \$3,519.40 in campaign contributions for campaign items that Respondent purchased from personal funds.
9. Respondent violated O.C.G.A. § 21-5-34(b)(1) by failing to report \$3,519.40 in campaign expenditures used to reimburse campaign expenses paid personally by Respondent.
10. Respondent violated O.C.G.A. § 21-5-34(b)(1) by failing to report \$8,770.00 in campaign expenditures used to repay loans Respondent made to his campaign.
11. Respondent violated O.C.G.A. § 21-5-34(b)(1) by failing to report \$6,873.23 in campaign expenditures used to repay Respondent mileage reimbursement.

### **Agreement**

In resolving this matter, Respondent hereby agrees to the following:

Respondent agrees to pay to the Commission six (6) late fees in the amount of \$125.00, for a total of \$750.00 in late fees. Respondent further agrees to pay a civil penalty in the amount of \$7,250.00 for violating the Georgia Government Transparency and Campaign Finance Act. The total amount of \$8,000.00 shall be paid to the Georgia Government Transparency and Campaign Finance Commission on the following schedule: Respondent shall make eleven monthly (11) payments of \$665.00 and one

(1) payment of \$675.00 beginning on April 1, 2023, with a payment to be made by the first day of each successive month until the balance is paid in full.

Respondent represents that the foregoing findings of facts are true, agrees with the conclusions of law, and further agrees to abide by all terms of this Order. By signing this Order, Respondent, waives any right to appeal pursuant to the procedures outlined in the Administrative Procedures Act (APA), O.C.G.A. § 50-13-1 *et. seq.*

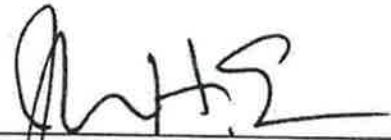
Failure to comply with the terms herein, absent a showing of good faith, will constitute a willful and knowing violation of said terms by Respondent. Respondent's failure to comply with said terms shall constitute a breach of this agreement and thereby authorize the Commission to seek enforcement action against the Respondent in Superior Court. The parties agree that all costs and attorneys' fees incurred by the Commission in any enforcement action shall be assessed against Respondent pursuant to O.C.G.A. § 21-5-6(b)(14)(C).

The Commission adopts the foregoing findings of fact and conclusions of law and orders the implementation of the terms of this Consent Order.

Order Prepared and Presented by:



Timothy Baywal  
Staff Attorney  
Georgia State Bar No.: 460743



John Eaves  
Respondent

SO ORDERED this 27<sup>th</sup> day of March, 2023.

**Georgia Government Transparency and Campaign Finance Commission**

**BY:**



James D. Kreyenbuhl, Chair